

PATENT

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Date of Deposit: **7-15-03**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450.

Margie Greene

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of :
Thomas E. Jackson :
Dwayne Mattox :
Randy L. Spangler : Group Art Unit: To Be Assigned.
Serial No.: To Be Assigned. : Examiner: To Be Assigned.
Filed: :
For: **DOLLY DEVICE FOR LOADING CONTAINERS**

DECLARATION OF CORTNEY L. ROMANS

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Cortney L. Roman, being duly cautioned, depose and state the following:

1. I am a law clerk for Toyota Motor Manufacturing North America, Inc. ("TMMNA"), and work under the supervision of Mr. David L. Meier, an attorney for TMMNA.

2. Pursuant to Mr. Meier's instructions, on or about January 10, 2003, I contacted the Human Resources Department at TMMNA in order to obtain Mr. Dwayne Mattox's last known address and telephone number and obtained the following information from TMMNA's corporate records:

1217 Colorado Road
Lexington, Kentucky 40509
Telephone: 859-263-5716

This address and telephone number was the same as that earlier obtained by Mr. Meier. The internal telephone number has had a new subscriber (i.e. new user) associated with this telephone number since August 15, 2002.

3. On or about January 13, 2003, I searched the telephone book and Internet in an attempt to locate Mr. Mattox and/or verify his current whereabouts by searching various combinations and spellings of his name and discovered a Mr. Dwaine Mattox (different spelling) in Lexington with the telephone number: 859-296-0328. I attempted to reach someone at this number on or about January 13, 2003, and upon receiving no response, I left a message requesting that if a Mr. Mattox formerly associated with Toyota Motor Manufacturing of Kentucky ("TMMK") lived at this address that he please return my call as soon as possible. As of today, I have not received a response.

4. On or about January 16, 2003, I placed email request at TMMK, including Chandra Jarboe in the Human Resources Department, Karen Yanetti (payroll), Michele Drake (Benefits/Cobra), and with Mr. Mattox's former bosses, Debbie Poe his Assistant Manager, and co-developers, in an attempt to find out if anyone could tell me how we could locate Mr. Mattox. These efforts produced no additional information regarding Mr. Mattox's whereabouts. I also placed a call with Kentucky's Department of Motor Vehicles, but received no additional information regarding Mr. Mattox's current residence.

5. Attached as **Exhibit 1** is a true and correct copy of the letter of instructions which was wrote and sent by Mr. Meier on behalf of TMMNA to Mr. Mattox's last known address on January 16, 2003. The letter transmitted a full copy of the patent application and its formal filing documents, and requested that he review the copy of the dolly device patent application so that an arrangement could then be made to execute the enclosed Declaration and Assignment. The letter was sent to Mr. Mattox's last known address:

Mr. Dwayne Mattox
1217 Colorado Road
Lexington, Kentucky 40509

6. Attached as **Exhibit 2** is a true and correct copy of the envelope sent to Mr. Mattox's last known address with the January 16, 2003 letter. The envelope shows that it was returned by the U.S. Postal Service to TMMNA, unopened, on or about January 18, 2003, and was marked "Moved Left No Address."

7. We have diligently attempted to reach Mr. Mattox, and have exhausted all known avenues of finding Mr. Mattox and presenting him with the patent application for review and execution of the Declaration and Power of Attorney.

Date: 3/20/03

Cortney L. Romans

Cortney L. Romans

Exhibit 1

TOYOTA

Toyota Motor Manufacturing
North America, Inc.
25 Atlantic Avenue
Erlanger, KY 41018-3151
(859) 746-4163
(859) 746-4190 Facsimile
dameier@mail.tmmna.com

David L. Meier
Senior Counsel

January 16, 2003

Mr. Dwayne Mattox
1217 Colorado Road
Lexington, Kentucky 40509

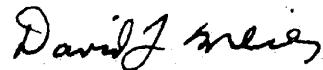
Re: X-Dolly development at TMMK

Dear Dwayne;

As you may remember, we spoke about the X-Dolly nearly a year ago. I am writing this letter to congratulate you on your contributions to the development of the X-Dolly at TMMK. You and your Co-developers should be proud of your accomplishments. As you may know, Toyota is proceeding with the Patent application for the development of the X-dolly. To facilitate this process we would like your assistance. We will need you to review the enclosed application and eventually I will need to arrange for your signature on the Declaration/Power of Attorney and an Assignment Agreement. These documents are also enclosed for your review. Toyota is well aware of the dedication that went into the development of the X-Dolly and we commend you and the other developers for your efforts and achievement.

I am sure that you will have questions regarding this process. Please feel free to call me at 859-746-4163 at your earliest convenience.

Sincerely,



David L Meier
Senior Counsel

03/07/03 FBI LS:JL HAA 639146002

DECLARATION
and
POWER OF ATTORNEY

As one of the below named inventors, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject design which is claimed and for which a patent is sought on the invention entitled **Dolly Device For Loading Containers**, the specification of which

- [x] is attached hereto.
[] was filed on as Application Serial No. and was amended on
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim U.S. provisional application or foreign priority benefits under Title 35, United States Code, §119 of any U.S. provisional applications or any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior U.S. Provisional or Foreign Application(s)				Priority Claimed		
Number	Country	Day/Month/Year Filed			Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date) (Status)

(Application Serial No.) (Filing Date) (Status)

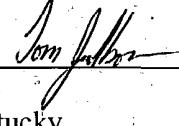
I hereby appoint Ronald J. Snyder, Reg. No. 31,062; John V. Harmeyer, Reg. No. 41,815; Holly D. Kozlowski, Reg. No. 30,468; James D. Liles, Reg. No. 28,320; Martin J. Miller, Reg. No. 35,953; Stephen S. Wentsler, Reg. No. 46,403; Ryan O. White, Registration No. 45,541; Charles H. Brown III, Registration No. 48,866; Jeffrey R. Schaefer, Registration No. 48,514; Rebecca A. Brown, Registration No. 47,452; Clayton L. Kuhnell, Registration No. 48,691; Geoffrey L. Oberhaus, Registration No. 42,955; Clare M. Jery, Registration No. 51,833; Eric M. Robbins, Registration No. 52,170; Joshua A. Lorentz, Registration No.

52,406; and Denise M. Everett, Registration No. 47,552, my attorneys, c/o Dinsmore & Shohl LLP, 1900 Chemed Center, 255 East Fifth Street, Cincinnati, Ohio 45202 USA (513) 977-8200, with full power in each of them, of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

The undersigned hereby authorizes the above-named U.S. attorneys to accept and follow instructions from **Toyota Motor Manufacturing North America, Inc.** as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the undersigned and the aforementioned U.S. attorneys. In the event of a change in the firm or persons from whom instructions may be taken, the aforementioned U.S. attorneys will be so notified in writing by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Thomas E. Jackson

Inventor's signature:  Date 7/1/03

Residence: Versailles, Kentucky

Citizenship: USA

Post Office Address: 1495 Carpenter Pike, Versailles, Kentucky 40383

Full name of second inventor: Dwayne Mattox

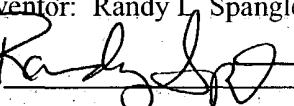
Inventor's signature: _____ Date

Residence: Lexington, Kentucky

Citizenship: USA

Post Office Address: 1217 Colorado Road, Lexington, Kentucky 40509

Full name of third inventor: Randy L. Spangler

Inventor's signature:  Date 6-27-03

Residence: Berea, Kentucky

Citizenship: USA

Post Office Address: 346 Peachtree Drive, Berea, Kentucky 40403